



Jeanne Clery Act
2015 ANNUAL SECURITY REPORT (ASR)
and
FIRE SAFETY REPORT

Campus Security and Crime Statistics
and
Fire Safety Programs and Policies
For 2012-2014

PREPARED BY:
The Campus ASR Team
California State University - East Bay

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1. Jeanne Clery Act – Annual Security Report (ASR)

California State University, East Bay endeavors to provide a safe, secure and orderly campus environment conducive to the successful pursuit of educational opportunities and accomplishments. In accordance with this goal, the campus-wide ASR team, which includes staff from Student Conduct, Residential Life, Title IX, Athletics, Confidential Advocate, Compliance and Internal Control and University Police Department, prepares the ASR to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act* (the Clery Act).

As required by the Clery Act, the campus-wide ASR team collects and analyzes Clery crime statistics from their respective areas, as well as Campus Security Authorities (CSAs) and UPD's daily crime log. CSU East Bay's Clery "geography" includes campus locations, including on-campus Student Housing, off-campus property either owned or controlled by the University, and public property immediately adjacent to the campus. All local police agencies, where CSU East Bay property is located or nearby, provide statistics for the property and a radius around the property, as requested by the UPD Chief of Police. CSU East Bay's largest campus is in the Hayward Hills, with two satellite campuses located in Concord and Oakland. All policy statements contained in this ASR apply to all three campus locations.

Information about the Clery Act may be obtained by accessing the website for The Clery Center for Security on Campus at <http://www.clerycenter.org>. CSU East Bay is a collaborative member of the Clery Center for Security on Campus.

1.1 Obtaining the Annual Security Report (ASR)

Currently enrolled students are sent an e-mail by the University Registrar annually in late September which contains a link to the ASR webpage. The ASR contains University crime statistics and other relevant safety/security information.

The annual Campus Security Report is a link located on the campus webpages for prospective students as well as current students. Navigate to "Campus Life," then "Campus Safety" and "Useful Links." Faculty and staff members are provided directions on how to access the ASR information annually each September in a campus-wide *Communique*. The Human Resources Department provides the ASR disclosure report information to all CSU East Bay prospective employees as part of every job application posting.

Upon request, a paper copy of the report may also be obtained at the UPD, Library Building, Room #1063, by calling (510) 885-3791, or by visiting the UPD website at <http://www20.csueastbay.edu/af/departments/upd/campus-security-report.html>.

Written campus policies relating to campus safety and security may be viewed at the Office of the Vice President of Student Affairs, Student Services and Administration Building, Room #4000, or by telephoning (510) 885-3646.

2. A Message from the University Police Chief

On behalf of the men and women of the California State University East Bay Police Department (also known as the University Police Department – UPD), I am pleased to extend you an opportunity to partner with us in the shared process of enhancing and preserving the quality of life in our community. We are excited about the possibility of collaboratively working with you in this very important venture and have aligned our professional ideals toward the attainment of this goal.

Sheryl Boykins, Chief

3. The University Police Department

3.1 Vision

Our vision is to be nationally recognized as a premier university law enforcement agency. Our vision will be realized via the use and adaptation of law enforcement best practices, including but not limited to, proactive collaboration with all facets of the community to provide a safe and secure campus environment.

3.2 Mission

Our mission is to provide the University community with a safe, secure environment in which to learn, live, grow, work and play. We will accomplish our mission by partnering and collaborating with the community, by providing service in a professional, courteous manner, and by affording dignity and respect to each individual we encounter.

3.3 Philosophy

University Police Department Personnel are committed to a service philosophy of "Community Oriented Policing and Problem Solving" (COPPS). Recognizing that the Department's mission is best attained through community involvement, employees are collectively committed to nurturing collaborative partnerships with individuals, groups and departments in the responsibility of:

- Identification and resolution of safety and security concerns.
- Development of safety and security resources, and service initiatives.
- Delivery of efficient, effective and relevant public safety and security services and training.

3.4 Statutory Authority

The UPD is a professionally trained department established pursuant to Section 89560 of the Education Code to meet the public safety requirements of the campus community. University police officers are sworn police officers as established by Section 830.2(c) of the California Penal Code. They have the same responsibilities and powers of arrest as any other peace officer in the State of California.

Our primary jurisdiction is the campus and a radius of one mile beyond campus borders. By a written memorandum of understanding (MOU) with the City of Hayward and Concord, our police officers may also enforce Federal, State, and local laws in the cities of Hayward and Concord.

3.5 Where to Find Us

3.5.1 Hayward Campus

Our Hayward Campus office is located on the basement level of the Library Building, at the Library Loading Dock, Room 1063. The Hayward office may be contacted by calling 9-1-1 (for emergencies) or extension 53791 from campus phones, or 9-1-1 (for emergencies) or (510) 885-3791 from payphones and off-campus phones.

The UPD is available to respond to all requests for police services on the Hayward campus, 24 hours a day, 7 days a week, 365 days a year.

Emergency: Call 9-1-1

Hayward Campus Non-Emergency Public Safety Services		
Hayward Campus	On-Campus Phones	Off-Campus
Police Business	53791	(510) 885-3791
Safety Escort Service	53791	(510) 885-3791
Crime Prevention	53791	(510) 885-3791

Hayward Campus Non-Emergency Public Safety Services		
Hayward Campus	On-Campus Phones	Off-Campus
Lost and Found	53791	(510) 885-3791

Off campus: Hayward Police Department: (510) 293-7000

3.5.2 *Concord Campus*

Our Concord Campus office is located in the main lobby of the Facilities Operations Building. This office may be contacted by calling 9-1-1 (emergencies) or extension 26737 from campus phones, or (925) 602-6737 from pay phones and off-campus phones. This campus has limited police coverage.

Emergency: Call 9-1-1

Concord Campus Non-Emergency Services		
Concord Campus	On-Campus Phones	Off-Campus
Police Business	26737	(925) 602-6737
Safety Escort Service	26737	(925) 602-6737
Crime Prevention	26737	(925) 602-6737
Lost and Found	26737	(925) 602-6737

Off Campus: Concord Police Department (925) 671-3232

3.5.3 *Oakland Center*

Because of its remoteness from the CSU East Bay campus, the Oakland Center is monitored by the Oakland Police Department. Any emergencies or calls for service should be directed to the Oakland Police Department:

Oakland Police Department

455 7th Street
Oakland, CA 94607
Emergency: 9-1-1
Non-Emergency: (510) 777-3333

Oakland Center

1000 Broadway, Suite 109

Oakland, CA 94607

4. The University Police Department Services

4.1 Special Services

The University Police Department offers a variety of services and programs to help promote the personal safety needs and the security of the community. These services are extended to all members and guests of our campus community. Some of our services are listed below:

4.1.1 Crime Prevention and Safety Services

The Department offers a variety of crime prevention programs and services. All of these programs may be tailored to individual or group needs. Specially trained personnel are available to students, staff, faculty or other community members. Personal safety, property security, security surveys and information regarding crime statistics are only a few of the programs and services available. Police officers, Community Service Officers, and other safety staff regularly test the emergency phones and conduct lighting surveys. Officers report the need for replacement of lights and any other physical and/or safety hazards they notice.

4.1.2 Safety Escort Service

Safety escort services are available to students, staff, faculty and visitors, subject to Department personnel availability. When you are ready to be escorted, simply give us a call and a Department member will safely escort you to your on-campus destination. You may call the Department from any courtesy phone, office phone, payphone, or the conveniently located "call boxes" (call boxes have a blue flashing light above them so that they can be easily seen and located).

4.1.3 Battery Failure

If your vehicle will not start due to battery failure, the Police Department will assist with contact of your emergency road-service provider. If you do not have emergency road service, personnel may respond to your location and provide vehicle "jump" services.

4.1.4 Found Property

The Department is designated as the official campus location for receipt and storage of found property. To inquire about an item you have lost on campus, please contact the Department either in person or by telephone.

4.1.5 Fingerprinting

The Department provides fingerprint (LIVESCAN) services at a nominal fee for the public between the hours of 9:00 AM. and 4:00 PM, Monday through Thursday and 9:00 AM to 1:00 PM on Friday.

4.2 Interagency Cooperation

The UPD has MOU (Memorandum of Understanding) agreements with the Hayward Police Department (Hayward Campus) and the Concord Police Department (Concord Campus) for the interagency provision of routine and emergency public safety services to these campuses. Additionally, the California State University (CSU) system operates a Critical Response Unit (CRU) that is composed of police officers from various campuses throughout the CSU System. Officers will respond in emergency situations that require additional staffing or specialized skills.

4.3 Monitoring of Off-Campus Crime Statistics

All off-campus property owned by CSU East Bay is monitored and patrolled by the agencies in which they reside. All relevant crime statistics for off-campus properties are forwarded to or retrieved by the UPD.

5. Reporting Crimes and Emergencies

The University strongly encourages that all crimes be reported to UPD or one of our Campus Security Authorities (CSA's). A CSA is a campus employee, volunteer or other official with significant responsibility for campus and student activities. Examples of CSA's at CSU East Bay include: all resident assistants (RA's) in Pioneer Heights and University Village; the assistant directors and the director of Housing and Residential Life; the director of Student Life and Leadership; faculty and staff advisors for all academic, cultural and social student clubs, including Greek life; all UPD officers, as well as all SSO's (Student Service Officers, who work for UPD and the University as a whole); the Title IX Coordinator; the Confidential Advocate; the Vice President of Student Affairs; the Dean of Students; the Athletic Director; all athletic

coaches and assistant coaches for all sports; the director of Student Conduct, Rights and Responsibilities (SCRR); and the executive director of Associated Students, Inc. (ASI). There are over 300 CSA's on campus. However, faculty who have no responsibilities outside of the classroom are not CSA's. CSA's have a duty to report relevant information to the proper campus authorities, and play an important role in compliance with the Clery Act.

5.1 Emergencies

To report all police, fire, or medical emergencies on campus dial 9-1-1 from a campus telephone. Prompt and accurate reporting of emergencies is essential for effective response by police and/or other emergency personnel. It is important to provide the following information:

1. Exact location
2. Nature of the emergency
3. Injuries or medical issues
4. Number of people involved
5. Description of involved parties and/or vehicles

5.2 Policy for the Reporting of a Missing Student or Employee

It is the policy of CSUEB to investigate any report of any missing person or student, including those living in on-campus housing (Pioneer Heights and University Village). All students residing in campus housing are requested to complete an Emergency Contact form upon completing their License Agreement. The License Agreement is collected in advance of the student checking in to University residences. The student is asked to identify the name and contact number of the individual(s) who is to be contacted in the event of an emergency. This contact information is confidential and may not be disclosed, except to authorized campus officials and law enforcement personnel in furtherance of a missing person investigation.

If a member of the University Community has reason to believe that a student or employee is missing, he or she should immediately notify the University Police Department at (510) 885-3791. All appropriate efforts will be made to locate the student or employee to determine his or her state of health and well-being through the collaboration of the University Police Department and relevant campus departments.

If upon investigation by the University Police Department the student is determined missing, staff from the University Police Department and/or Student Affairs will contact the resident's designated Emergency Contact within 24 hours. For any non-emancipated student under the age of 18, CSUEB will notify a custodial parent or guardian, in addition to any other individual

designated on the Emergency Contact form, within 24 hours of the University Police Department determining that they are missing. University Police will continue to investigate, utilizing the following procedures in collaboration with relevant campus departments such as campus housing staff and local law enforcement agencies.

Any employee encountering a person who wishes to report a missing person or runaway shall render assistance without delay (Penal Code § 14205). This can be accomplished by accepting the report via telephone or in-person and initiating the investigation.

Officers or other employees conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

1. Respond to a dispatched call for service as soon as practicable.
2. Interview the reporting person and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.
3. Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).
4. Broadcast a Be on the Look-Out (BOLO) bulletin if the person is under 16 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 16 or may be at risk (Penal Code § 14205).
5. Ensure that entries are made into the appropriate missing person networks as follows:
 - a. Immediately, when the missing person is at risk.
 - b. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
6. Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
7. Collect and/or review the following:
 - a. A photograph and a fingerprint card of the missing person, if available.
 - b. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
 - c. Any documents that may assist in the investigation, such as court orders regarding custody.
 - d. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
8. When circumstances permit and if appropriate, attempt to determine the missing person's location through their telecommunications carrier.

9. Contact the appropriate agency if the report relates to a previously made missing person report and another agency is actively investigating that report.
10. As soon as reasonable under the circumstances (within 24 hours), notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's residence in cases where the missing person is a resident of another jurisdiction (Penal Code § 14205).
11. Notify and forward a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen.
12. Notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's intended or possible destination, if known (Penal Code § 14205).
13. Forward a copy of the report to the Investigations.

5.3 Non Emergencies

Incidents, police reports, and general safety and security issues that do not require an emergency response-should be reported directly to the Police Department using the non-emergency telephone number (510) 885-3791 or extension 53791.

Students are encouraged to report any problems with the campus environment to the Environmental Health & Safety Department, Facilities Operations Department, or the UPD.

5.4 Confidential Reporting of Crime

The California State University, East Bay Police Department accepts reports of criminal activity in confidence. UPD accepts reporting from anywhere on campus you feel comfortable, however, pursuant to Executive Order 1095, if the crime is regarding a sexual violence offense, only certain individuals can keep the information you provide confidential. Most university employees are required to disclose the information to the campus Title IX Coordinator. The UPD and Student Health and Counseling Center will accept confidential and anonymous reports for inclusion in the annual statistical report. All other administrative offices will keep your information private, but must disclose to the Title IX Coordinator. It is our goal to provide assistance wherever the report is made and to ensure that we include the appropriate crime information in our annual security report. Reports can be made to the Police Department by phone at (510) 885-3791.

Detailed reporting and response options for cases involving sexual and dating violence, including confidential and anonymous reporting, is found beginning on section 12.3.2 of this report.

5.5 Timely Warning

The University endeavors to advise the CSUEB community of campus Clery crimes and Clery crime-related issues in a timely manner. If the Chief of Police or designee determines that a situation exists either on or off campus that constitutes a serious or continuing threat to students and employees, the University Police Department will issue a campus-wide “timely warning” notice. These situations will be analyzed on a case-by-case basis, and the Chief of Police may consult with the Vice President of Administration and Finance/CFO and/or the AVP of University Communications, as needed. Names and other identifying information of victims will be withheld as confidential. It is our policy to disseminate these notices through a number of communication methods including, but not limited to: the AlertMe system, which generates automated text messages, emails, and phone messages to individual members of the campus community. In addition, University e-mail, University all-mail and mass-mail listservs are also utilized to communicate “timely warnings” rapidly.

6. Megan's Law Information

In 1995, a convicted child molester was arrested for the rape and murder of 7-year-old Megan Kanka in a New Jersey suburb. The offender lived across the street from the Kanka residence; however, the police department was prohibited from disclosing the presence of this child molester because the law did not allow for the release of sex-offender information to the public.

The law was changed to permit the release of this information to the public. On May 8, 1996, President Clinton signed the law, dubbed "Megan's Law," in remembrance of Megan Kanka. The Governor signed California's version of Megan's Law into effect on September 25, 1996. This Law was implemented to allow potential victims to protect themselves and to allow parents to protect their children from sexual predators.

You may obtain information on sexual offenders living in the area by contacting:

Hayward Police Department

300 W. Winton Avenue
Hayward, CA 94540
Phone: (510) 293-7023

Records are available for review on Wednesdays from 9:00 am – 11:30 am and 1:00 pm – 4:00 pm, appointment required.

Alameda County Sheriff's Office – Eden Township Substation

15001 Foothill Blvd.

San Leandro, CA 94562

Phone: (510) 667-7721

Records are available for review from Monday – Friday, 8:30 am – 4:30 pm; no appointment necessary.

Additionally, sex offenders are required to register with the University's Chief of Police if he/she is enrolled as a student or is employed (in any capacity) on the campus or in any of its facilities. Any transient (person who has no residence) who is physically present on campus must also register with the University Chief of Police. You may view the list at the CSU East Bay Police Department by appointment.

7. Access to Buildings

Access to campus buildings is restricted during non-business hours. Campus buildings are opened by University custodians on weekdays at approximately 7:00 a.m. and are secured at approximately 10:00 p.m. On weekends, buildings are opened and closed by Department personnel for scheduled classes, events and by building pass, only. It is the responsibility of each staff and faculty member on campus to ensure that all doors allowing access to their offices, rooms and other areas are secured at the conclusion of their work day. The University Police Department will provide assistance as requested. We work closely with Facilities Planning and Operations on the maintenance of campus facilities. Their responsibilities include but are not limited to trimming shrubbery, repairing faulty/damaged doors and locking mechanisms. The University Police Department conducts frequent lighting and phone surveys which are forwarded to Facilities Planning and Operations for needed repairs.

8. On-Campus Housing

California State University, East Bay offers a multi-story apartment complex, Pioneer Heights, which provides on-campus housing for approximately 1,390 students. This 10-building apartment complex is located at 1901 Harder Road, Hayward, CA 94542. To meet the increased demand for student housing, an additional apartment complex, University Village, was leased

effective July 15, 2014. It houses 163 students and is located at 25400 Carlos Bee Blvd., Hayward CA 94542, directly across from the entrance to the campus.

Security safeguards within our on-campus housing buildings include restricted access, guest registration, and security fencing around the buildings. Crime prevention programs include orientation workshops, individual floor meetings, and on-campus residential community-wide presentations and educational programs. See crime prevention tips and links on UPD's website: <http://www20.csueastbay.edu/af/departments/upd/police-services.html>.

All University Housing staff members who work in on-campus housing undergo comprehensive training each quarter for both prevention and response regarding safety and security issues. As part of their responsibility for campus security, both student and professional staff participate in lectures and seminars associated with topics such as substance abuse, prevention of sexual assault, and community security. Professional Residence Directors and Student Resident Assistants, who are all members of the University Housing and Residential Life staff, live on campus and provide 24-hour staff coverage.

For safety and security purposes, student room doors should be locked at all times, even when occupied. Residents with automobiles may park them in Lot "C" after purchasing a quarter or daily permit. Most importantly, residents are reminded to observe building security procedures and to notify University Housing staff or the Police Department of any unfamiliar faces or unusual incidents within either the residence halls or apartments.

9. Student Organizations

The University does not have any non-campus properties that are owned or controlled by officially recognized student organizations, such as fraternity or sorority houses. Likewise, student organization recognition does not extend beyond the University and student organizations are not recognized to engage in activity off-campus. Information regarding student organizations may be obtained by visiting the Student Life and Leadership office, located in the New Student Union, Room #2011, by telephoning (510) 885-3657, or by logging on to the Student Affairs website at <http://www20.csueastbay.edu/sa/> on the internet.

10. Hate Crimes

The University does not condone hate violence and is charged with ensuring that the rights guaranteed by state law and the United States Constitution are safeguarded for all persons regardless of their ethnicity, race, national origin, religion, sex, sexual orientation, disability, or

political/religious beliefs. Hate violence as defined in the statute means "...any act of physical intimidation or physical harassment, physical force or physical violence, or the threat of physical force or physical violence, that is directed against any person or group of persons because of the ethnicity, race, national origin, religion, sex, sexual orientation, disability, or political/religious beliefs of that person or group." Hate incidents should be immediately reported to the University Police Department or the Office of Student Conduct, Rights, and Responsibilities.

There were no reported hate crimes in 2012, 2013 or 2014 at either the Concord campus or the Oakland Center. There were no hate crimes reported for the Hayward Hills campus in 2012 or 2013. However, two hate crimes were reported on campus in 2014, one referring to ethnicity and one referring to sexual orientation.

11. Preventing and Responding to Sexual Violence

California State University, East Bay does not discriminate on the basis of sex, gender, or sexual orientation in its education programs or activities. Title IX of the Education Amendments of 1972, and certain other federal and state laws, prohibit discrimination on the basis of sex, gender, or sexual orientation in employment, as well as all education programs and activities operated by the University (both on and off campus), and protect all people regardless of their gender or gender identity from sex discrimination, which includes sexual harassment and sexual violence.

The UPD realizes that the decision to report a rape or any other form of sexual violence, including dating violence, domestic violence, and stalking, can be a difficult one. We do, however, strongly encourage the immediate reporting of these crimes. Victims may ask UPD to keep their identity confidential. In that event, UPD will not reveal any personally identifying information, but will report the facts of the event to the campus Title IX Coordinator. UPD personnel are trained to assist victims throughout the entire reporting process. Officers will provide the victim with important "Victim Assistance" information and will also assist the victim in notifying other authorities or off-campus resources upon request. UPD officers will work closely with the victim, should the victim decide to seek prosecution. All forms of sexual violence are serious crimes and the reporting may prevent another unsuspecting individual from becoming a victim. Victims are encouraged to call any law enforcement agency by dialing "9-1-1" immediately after an incident of sexual violence for criminal investigation, medical treatment, and referral to crisis counseling and legal advocacy services. The University Student Health and Counseling Center will provide confidential on-campus counseling and support services to any student who has been the victim of a rape or sexual assault. Student Health and Counseling Center can be reached at (510) 885-3735 or at extension 53735 from any on-campus courtesy

phone or office phone. University Student Health and Counseling staff and professionals can provide complete confidentiality to victims – they will not report any information about the incident or the victim to anyone at the University. The University has hired a Confidential Advocate, who will also assist victims. University counselors and police officers have also received training on threat assessment.

If both the victim and the suspect are CSU East Bay students, University disciplinary action may also be sought. In this event, the accuser and the accused are entitled to the same opportunities to have others present during campus disciplinary proceedings and both shall be informed of the outcome of the proceeding. If found to be in violation of the CSU Code of Student Conduct, the offender may be placed on probation, suspended, expelled, and/or excluded from the campus. If reasonable and available, the victim may also request changes in academic and/or living arrangements. Every effort will be made to accommodate such requests.

If you or someone you know has become a victim of a sexual violence, on or off campus, there are several options for reporting and obtaining services:

- Go to a safe place
 - Contact the UPD or local police department (if off campus)
 - Contact someone you trust to be with you or ask the police department dispatcher to do so for you
 - Contact the Student Health and Counseling Center for confidential services
 - Contact the campus Confidential Advocate
 - Contact the campus Title IX Coordinator
 - All of the above personnel can assist with arranging for forensic and medical services as appropriate. UPD can also accept a report in confidence, through a third party, or anonymously, upon request.
-
- **University Police**
25800 Carlos Bee Blvd. Hayward, California 94542
Dispatch – 510-885-3791 | Anonymous line – 510-885-2444
-
- **Student Health and Counseling Services**
25800 Carlos Bee Blvd. Hayward, California 94542
SHCS 1209 (between KPE and the Library)
(510) 885-3735 | shcs@csueastbay.edu

- **Title IX Coordinator**

Ms. Terri LaBeaux

Risk Management and Internal Control

25800 Carlos Bee Blvd. SA 4700, Hayward, California 94542

510-885-4918 | 8:30am – 5:00pm

11.1 The Importance of Preserving Evidence

It is important to take steps to preserve and collect evidence; doing so preserves the full range of options available to victims, be it through the university's administrative complaint procedures or criminal prosecution.

- Do not wash your face or hands
- Do not shower or bathe
- Do not brush your teeth
- Do not change clothes or straighten up the area where the assault took place
- Do not dispose of clothes or other items that were present during the assault, or use the restroom; and
- Seek a medical exam immediately

If you already cleaned up from the assault, you can still report the crime, as well as seek medical or counseling treatment. You may consult with the campus Title IX Coordinator, the campus Confidential Advocate or a local sexual assault victim resource center for assistance as well.

11.2 Definition of Terms as Outlined by CSU Executive Order 1095

Sex Discrimination means an adverse action taken against an individual because of gender or sex (including sexual harassment, sexual violence, domestic violence, dating violence, and stalking) as prohibited by Title IX; Title IV; VAWA/Campus SaVE Act; California Education Code § 66250 et seq.; and/or California Government Code § 11135. See also Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act (Cal. Govt. Code § 12940 et seq.), and other applicable laws. Both men and women can be victims of Sex Discrimination.

Sexual Harassment, a form of Sex Discrimination, is unwelcome verbal, nonverbal or physical conduct of a sexual nature that includes, but is not limited to sexual violence, sexual advances, requests for sexual favors, and indecent exposure, where:

- Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a student's academic status or progress, or access to benefits and services, honors, programs, or activities available at or through the University; *or*
- Such conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the student, and is in fact considered by the student, as limiting the student's ability to participate in or benefit from the services, activities or opportunities offered by the University; *or*
- Submission to, or rejection of, the conduct by a University employee is explicitly or implicitly used as the basis for any decision affecting a term or condition of employment, or an employment decision or action; *or*
- Such conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the University employee or third party, and is in fact considered by the University employee or third party, as intimidating, hostile or offensive.

Sexual Harassment also includes acts of verbal, non-verbal or physical aggression, intimidation or hostility based on gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

Sexual Violence is a form of Sexual Harassment and means physical sexual acts, such as unwelcome sexual touching, sexual assault, sexual battery, rape, domestic violence, dating violence, and stalking (when based on gender or sex), perpetrated against an individual against his or her will and without consent or against an individual who is incapable of giving consent due to that individual's use of drugs or alcohol, status as a minor, or disability. Sexual Violence may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication).

Men as well as women can be victims of these forms of Sexual Violence. Unlawful sexual intercourse with a minor (statutory rape) occurs even if the intercourse is consensual when the victim is under 18 years old, because the victim is considered incapable of giving legal consent due to age.

Sexual Assault is a form of Sexual Violence and is an attempt, coupled with the ability, to commit a violent injury on the person of another because of that person's gender or sex.

Sexual Battery is a form of Sexual Violence and is any willful and unlawful use of force or violence upon the person of another because of that person's gender or sex.

Rape is a form of Sexual Violence, and is non-consensual sexual intercourse that may also involve the use of threat of force, violence, or immediate and unlawful bodily injury or threats of future retaliation and duress. Any sexual penetration, however slight, is sufficient to constitute rape. Sexual acts including intercourse are considered non-consensual when the person is incapable of giving consent because s/he is incapacitated from alcohol and/or drugs, is under 18 years old, or if a mental disorder or developmental or physical disability renders the person incapable of giving consent. The accused's relationship to the person (such as family member, spouse, friend, acquaintance or stranger) is irrelevant. (See complete definition of Consent below.)

Acquaintance Rape is a form of Sexual Violence committed by an individual known to the victim. This includes a person the victim may have just met; i.e., at a party, introduced through a friend, or on a social networking website. (See above for definition of Rape.)

Statutory Rape is non-forcible sexual intercourse with a person who is under statutory age of consent. (18 years old in California.)

Consent means an informed, **affirmative**, conscious decision by each participant to engage in mutually agreed-upon sexual activity.

- Consent must be **voluntary**, and given without coercion, force, threats, or intimidation. Consent requires positive cooperation in a particular sexual act, or expression of intent to engage in that sexual act through the exercise of free will.
- Consent can be **withdrawn or revoked**. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity (or other sexual acts). Consent to sexual activity given on one occasion does not constitute consent to sexual activity on another occasion. The fact that two people are or were in a dating or sexual relationship does not constitute consent to engage in sexual activity. There must **always** be mutual and affirmative consent to engage in sexual activity. Consent to a sexual act may be withdrawn or revoked at any time, including after penetration. The victim's request for the perpetrator to use a condom or birth control does not, in and of itself, constitute consent. Once consent is withdrawn or revoked, the sexual activity must stop immediately.

- Consent cannot be given by a person who is *incapacitated*. For example, a person cannot give consent if s/he is unconscious or coming in and out of consciousness. A person is incapacitated if s/he lacks the physical and/or mental ability to make informed, rational judgments. Examples of incapacitation include unconsciousness, sleep and blackouts. Whether an intoxicated person (as a result of using alcohol or other drugs) is incapacitated depends on the extent to which the alcohol or other drugs impact the person's decision-making capacity, awareness of consequences, and ability to make fully informed judgments. A person with a medical or mental disability may also lack the capacity to give consent.
- Being intoxicated by drugs or alcohol does not diminish a person's responsibility to obtain consent from the other party before engaging in sexual activity. Factors to be considered include whether the person knew, or whether a reasonable person in the accused's position should have known, that the victim did not give, or revoked, consent; was incapacitated; or was otherwise incapable of giving consent.
- Sexual intercourse with a minor is never consensual when the victim is under 18 years old, because the victim is considered incapable of giving legal consent due to age.

Domestic Violence is a form of Sexual Violence and is abuse committed against someone who is a current or former spouse, current or former cohabitant, someone with whom the abuser has a child, someone with whom the abuser has or had a dating or engagement relationship, or a person similarly situated under California domestic or family violence law. Cohabitant means two unrelated persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.

Dating Violence is a form of Sexual Violence, and is abuse committed by a person who is or has been in a social or dating relationship of a romantic or intimate nature with the victim. This may include someone the victim just met; i.e., at a party, introduced through a friend, or on a social networking website.

Stalking means a repeated course of conduct directed at a specific person that places that person in reasonable fear for his/her or others' safety, or to suffer substantial emotional distress.

11.3 Reporting Options and Confidentiality

The University encourages victims of sexual violence to talk to someone about what happened – so they can get the support they need, and so the University can respond appropriately. Whether – and the extent to which – a University employee may agree to maintain confidentiality depends on the employee’s position and responsibilities at the University. This information is intended to make you aware of the various reporting and confidential disclosure options available to you – so you can make informed choices about where to turn for help. The University encourages victims to talk to someone identified in one or more of these groups.

Certain employees are required by law to maintain near complete confidentiality; talking to them is sometimes called a “privileged communication.” University law enforcement employees may maintain a victim’s identity as confidential, if requested by the victim, but will report the facts of the incident to the Title IX Coordinator including the identity of the perpetrator. Most other University employees are required to report all details of a Sexual Violence incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator so the University can take immediate action to protect the victim, and take steps to correct and eliminate the cause of Sexual Violence.

University Police, the Title IX Coordinator, the campus Confidential Advocate, University-employed physicians, professional counselors, sexual assault and domestic violence counselors and advocates, and certain other University employees are required to explain to victims their rights and options with respect to confidentiality.

11.3.1 Privileged and Confidential Communications

Physicians, psychotherapists, professional, licensed counselors, and clergy who work or volunteer on or off campus, and who provide medical or mental health treatment or counseling (including those who act in that role under their supervision) may not report any information about an incident of Sexual Violence to anyone else at the University, including the Title IX Coordinator, without the victim’s consent. A victim can seek assistance and support from physicians; psychotherapists, professional, licensed counselors, and clergy without triggering a University investigation that could reveal the victim’s identity or the fact of the victim’s disclosure. However, see limited exceptions below regarding when health care practitioners must report to local law enforcement agencies. Health care practitioners should explain these limited exceptions to victims, if applicable.

Sexual assault and domestic violence counselors and advocates who work or volunteer on or off campus in sexual assault centers, victim advocacy offices, women’s centers, and health centers

(including all individuals who work or volunteer in these centers and offices, as well as non-professional counselors or advocates, and those who act in that role under their supervision) may talk to a victim without revealing any information about the victim or the incident of sexual violence to anyone else at the University, including the Title IX Coordinator, without the victim's consent. A victim can seek assistance and support from these counselors and advocates without triggering a University investigation that could reveal his/her identity or that a victim disclosed an incident to them. However, see limited exceptions below regarding when sexual assault and domestic violence counselors and advocates must report to local law enforcement agencies. Counselors and advocates should explain these limited exceptions to victims, if applicable.

The University will be unable to conduct an investigation into a particular incident or pursue disciplinary action against a perpetrator if a victim chooses to (1) speak only to a physician, professional counselor, clergy member, sexual assault counselor, domestic violence counselor or advocate; and (2) maintain complete confidentiality. Even so, these individuals will assist victims in receiving other necessary protection and support, such as victim advocacy, disability, medical/health or mental health services, or legal services, and will advise victims regarding their right to file a Title IX complaint with the University and a separate complaint with local or University police. If a victim insists on confidentiality, such professionals, counselors and advocates will likely not be able to assist the victim with: University academic support or accommodations; changes to University-based living or working schedules; or adjustments to course schedules. A victim who at first requests confidentiality may later decide to file a complaint with the University or report the incident to the police, and thus have the incident fully investigated. These counselors and advocates can provide victims with that assistance if requested by the victim. These counselors and advocates will also explain that Title IX includes protections against retaliation, and that the University will not only take steps to prevent retaliation when it knows or reasonably should know of possible retaliation, but will also take strong responsive action if it occurs.

EXCEPTIONS: Under California law, any health practitioner employed in a health facility, clinic, physician's office, or local or state public health department or clinic is required to make a report to local law enforcement if he or she provides medical services for a physical condition to a patient/victim who he or she knows or reasonably suspects is suffering from (1) a wound or physical injury inflicted by a firearm; or (2) any wound or other physical injury inflicted upon a victim where the injury is the result of assaultive or abusive conduct (including Sexual Violence, Domestic Violence, and Dating Violence). This exception does not apply to sexual assault and

domestic violence counselors and advocates. Health care practitioners should explain this limited exception to you, if applicable.

Additionally, under California law, all professionals described above (physicians, psychotherapists, professional counselors, clergy, and sexual assault and domestic violence counselors and advocates) are mandatory child abuse and neglect reporters, and are required to report incidents involving victims under 18 years of age to local law enforcement. These professionals will explain this limited exception to victims, if applicable.

Finally, some or all of these professionals may also have reporting obligations under California law to (1) local law enforcement in cases involving threats of immediate or imminent harm to self or others where disclosure of the information is necessary to prevent the threatened danger; or (2) to the court if compelled by court order or subpoena in a criminal proceeding related to the Sexual Violence incident. If applicable, these professionals will explain this limited exception to victims.

11.3.2 Reporting to University or Local Police

If a victim reports to local or University Police about Sexual Violence, the police are required to notify victims that their names will become a matter of public record unless confidentiality is requested. If a victim requests that his/her identity be kept confidential, his/her name will not become a matter of public record and the police will not report the victim's identity to anyone else at the University, including the Title IX Coordinator. University Police will, however, report the facts of the incident itself to the Title IX Coordinator being sure not to reveal to the Title IX Coordinator victim names/identities or compromise their own criminal investigation. The University is required by the federal Clery Act to report certain types of crimes (including certain sex offenses) in statistical reports. However, while the University will report the type of incident in the annual crime statistics report known as the Annual Security Report, victim names/identities will not be revealed.

11.3.3 Reporting to the Title IX Coordinator and Other University Employees

Most University employees have a duty to report Sexual Violence incidents when they are on notice of it. When a victim tells the Title IX Coordinator or another University employee about a Sexual Violence incident, the victim has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. In all cases, the University strongly encourages victims to report Sexual Violence directly to the campus Title IX Coordinator.

As detailed above, all University employees except physicians, licensed counselors, sexual assault counselors and advocates, must report to the Title IX Coordinator all relevant details about any Sexual Violence incidents of which they become aware. The University will need to determine what happened – and will need to know the names of the victim(s) and the perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the incident.

To the extent possible, information reported to the Title IX Coordinator or other University employees will be shared only with individuals responsible for handling the University's response to the incident. The University will protect the privacy of individuals involved in a Sexual Violence incident except as otherwise required by law or University policy. A Sexual Violence report may result in the gathering of extremely sensitive information about individuals in the campus community. While such information is considered confidential, University policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report of sexual violence. In such cases, efforts will be made to redact the records, as appropriate, in order to protect the victim's identity and privacy and the privacy of other involved individuals. Except as detailed in the section on Privileged and Confidential Communications above, no University employee, including the Title IX Coordinator, should disclose the victim's identity to the police without the victim's consent or unless the victim has also reported the incident to the police.

If a victim requests of the Title IX Coordinator or another University employee that his/her identity remain completely confidential, the Title IX Coordinator will explain that the University cannot always honor that request and guarantee complete confidentiality. If a victim wishes to remain confidential, or request that no investigation be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all students, employees and third parties, including the victim. Under those circumstances, the Title IX Coordinator will determine whether the victim's request for complete confidentiality and/or no investigation can be honored under the facts and circumstances of the particular case, including whether the University has a legal obligation to report the incident, conduct an investigation or take other appropriate steps. Without information about a victim's identity, the University's ability to meaningfully investigate the incident and pursue disciplinary action against the perpetrator may be severely limited.

The Title IX Coordinator will inform the victim of the initiation of an investigation prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response to the incident. The Title IX Coordinator will remain mindful of the victim's well-being, and will take ongoing steps to protect the victim from

retaliation or harm, and work with the victim to create a safety plan. Retaliation against the victim, whether by students, employees or third parties, will not be tolerated. The University and Title IX Coordinator will also:

- Provide interim remedies requested by the victim, if they are reasonably available, regardless of whether the victim chooses to report Sexual Violence to campus or local police;
- Assist victims in accessing available victim advocacy, academic support, counseling, disability, medical/health or mental health services, and legal assistance both on and off campus;
- Provide security and support, which could include issuing a no-contact order, helping arrange a change of campus-based living or working arrangements or course schedules (including for the perpetrator pending the outcome of the investigation) or adjustments for assignments, tests, or work duties; and
- Inform victims of their right to report a crime to University or local police – and provide victims with assistance if desired.
- Provide the victim with a written explanation of the victim’s rights and options. ([Attachment C of EO 1095](#), entitled *Rights and Options for Victims of Sexual Violence, Dating Violence, Domestic Violence and Stalking*)

The University will not require a victim to participate in any investigation or disciplinary proceeding if the victim does not wish to participate.

The University will not generally notify parents or legal guardians of a Sexual Violence report unless the victim is under 18 years old or the victim provides the University with written permission to do so.

Under California law, and pursuant to University policy, all University employees, including the Title IX Coordinator, are mandatory child abuse and neglect reporters and should explain to victims under 18 years of age that they are required to report the Sexual Violence incident to the police. However, the identity of the person who reports and the report itself are confidential and disclosed only among appropriate agencies.

Because the University is under a continuing legal obligation to address the issue of Sexual Violence campus-wide, Sexual Violence reports (including non-identifying reports) may also require the University to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported Sexual Violence occurred; increased

education, training and prevention efforts, including to targeted population groups; climate assessments/victimization surveys; and/or revision of policies and practices.

NOTE: If the University determines that the perpetrator poses a serious and immediate threat to the campus community, a designated Campus Security Authority under the Clery Act may be called upon to issue a timely warning to the community. Any such warning will not include any information that identifies the victim.

11.4 Educational Programs and Outreach

In an ongoing effort to prevent sexual violence, dating violence, domestic violence and stalking, the University provides education and prevention programs, investigates complaints, dispenses corrective or disciplinary action where appropriate, provides referrals for medical care/counseling, modified classes, reduced course load, campus housing changes, work situation assistance, stay away orders, leaves of absence and more. The University also provides information to victims and survivors on pursuing criminal action and obtaining protective orders if needed. Men as well as women can be victims of sexual violence. University officials who are responsible for investigating and/or adjudicating cases of sexual and dating violence receive annual training for compliance with federal, state and CSU system regulations.

The following is a summary of educational programming and outreach activities:

Freshman and Transfer Orientations. All students and parents who attend orientation will receive a presentation on sexual violence, dating violence, domestic violence, rape, acquaintance rape, stalking, bystander intervention, healthy relationships, consent, and the role of alcohol with violence, as well as safety information and resources.

“Not Anymore” Sexual Assault Prevention Training. A 60 minute interactive online module required for all students of Cal State East Bay. The educational modules focus on education on sexual violence, dating violence, domestic violence, stalking, bystander intervention and consent.

In-Person Training. Students who are in leadership roles including Resident Advisors, Student Service Officers, Peer Mentors, student athletes, Greeks, and others, receive in-person training on sexual assault awareness and prevention and bystander intervention.

Associated Students, Inc. ASI sponsors multiple events, workshops, and presentations throughout the academic year to promote education and awareness of sexual violence, dating violence, domestic violence, stalking, and bystander intervention.

University Events. The Title IX Coordinator disseminates information and collaborates with the University Police Department, ASI, and other departments to create awareness of and prevent sexual violence, dating violence, domestic violence, rape, acquaintance rape, and stalking.

Title IX Website. Our Title IX Website contains information and resources for the university community, including: CSU Executive Orders 1095 - 1098, Victim's Rights and Options document, Myths and Facts document, information on risk reduction and protective measures, bystander intervention, on and off-campus resources, resources specific to faculty and staff, and links to training. See the Title IX website at <http://www20.csueastbay.edu/af/departments/risk-management/risk/titleix/what-you-can-do.html>.

11.5 On and Off Campus Resources for Victims of Sexual Assaults

11.5.1 On Campus Resources

Hayward and Concord Campuses

- **Title IX Coordinator**
Ms. Terri LaBeaux
Risk Management and Internal Control
25800 Carlos Bee Blvd. SA 4700, Hayward, California 94542
510-885-4918 | 8:30am – 5:00pm
- **University Police**
25800 Carlos Bee Blvd. Hayward, California 94542
Dispatch – 510-885-3791 | Anonymous line – 510-885-2444
- **Student Health and Counseling Services**
25800 Carlos Bee Blvd. Hayward, California 94542
SHCS 1209 (between KPE and the Library)
(510) 885-3735 | shcs@csueastbay.edu
Monday – Friday, 8:30am – 5:30pm
www.csueastbay.edu/shcs

11.5.2 Off-Campus Services

Hayward

- **Hayward Police Department**
300 W. Winton Avenue, Hayward, CA 94544

(24-hrs emergency) 9-1-1 or (510) 293-7000

- **Bay Area Women Against Rape (BAWAR)**
470 27th Street, Oakland, CA 94612
24-hour hotline: 510-845-7273 (RAPE)
bawar@bawar.org | www.bawar.org
- **SFWAR – San Francisco Women Against Rape**
San Francisco, CA 94110
24-hour crisis line: 415-647-7273
info@sfgwar.org www.sfgwar.org
- **The Men’s Center for Counseling**
2925 Shattuck Avenue Berkeley, CA 94705
510-644-8262 | jsaah@igc.org
<http://www.psychotherapist.com/menscenter/>
- **Sexual Assault Hotline** - (510) 757-8200
- **California Coalition Against Sexual Assault (CalCASA)** - (888) 922-5227

Concord

- **Concord Police Department** (24-hrs emergency) 9-1-1 or (925) 671-3232
- **Rape Crisis Center** (San Pablo) - (510) 237-0113
- **Rape Crisis Center** - (510) 236-7273

Oakland

- **Oakland Police Department** (24-hrs emergency) 9-1-1 or (510) 777-3211
- **Highland Hospital Sexual Assault Center** - (510) 437-4688
- **Bay Area Women Against Rape** - (510) 845-7273 (845-RAPE)

The University Police Department will assist any victim in notifying or obtaining victim services upon request.

12. Counseling Services

All registered CSUEB students are eligible to receive up to ten (10) free personal counseling sessions via the Student Health and Counseling Center per year during their college career. Depression, anxiety, difficulties in relationships, feelings of inadequacy, sexuality issues, and problems interfering with academic functioning are some of the concerns students often address

through counseling. To make an appointment with a counselor, call the Student Health and Counseling Center office at (510) 885-3735. Individual, couples, and group counseling is available. Group counseling does not count against your ten (10) session limit. Both public safety officers and counselors have received training on threat assessment and Student Health and Counseling Center counselors consistently encourage their clients to report crimes to the UPD to prevent future crimes.

13. Policy for Campus Disciplinary Action in Sexual Violence Cases

The University has formal written procedures that provide for a campus investigation of reports of sexual violence, written findings sent to the accuser and the accused, and a review of the campus investigative findings by the CSU Chancellor's Office. The procedure for CSU employees and third parties is separate from, but similar to the procedure for CSU students. Your campus Title IX Coordinator can explain these procedures in detail. These procedures are covered in CSU Executive Orders 1096 and 1097.

At the conclusion of the University's complaint procedure, any employee or student found to have violated University policy against sexual violence will be subject to discipline. Discipline would be administered consistent with applicable collective bargaining agreements (for employees), University policies and legal requirements. As the victim, you are not required to participate in any University disciplinary procedure and may choose not to be a part of it.

Disciplinary procedures for sexual violence will:

- Provide a prompt, fair, and impartial process and resolution;
- Be conducted by officials who receive annual training on sexual violence and how to conduct a hearing process that protects the safety of victims and promotes accountability;
- Provide the accuser and the accused the same opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice;
- Simultaneously inform the accuser and the accused in writing of:
 - The outcome of the disciplinary proceeding;
 - The University's procedures for the accused to appeal the results of the disciplinary proceeding;
 - Any change to the disciplinary results that occurs prior to the time such results become final; and
 - When disciplinary results become final

13.1 Complaint Procedures

The CSU has adopted and published complaint procedures that provide for prompt and equitable resolution of Sex Discrimination complaints, including Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking.

13.1.1 Complaints Made by Students

Executive Order 1097, entitled “Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation Against Students and Systemwide Procedure for Handling Discrimination, Harassment and Retaliation Complaints by Students” is the appropriate systemwide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking made by CSU students against the CSU, a CSU employee, another CSU student, or a third party. Executive Order 1097 can be found at: <http://www.calstate.edu/EO/EO-1097.pdf>

13.1.2 Complaints Made by Employees, Former Employees, and Applicants for Employment

Executive Order 1096, entitled, “Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation Against Employees and Third Parties and Procedure for Handling Discrimination, Harassment and Retaliation Allegations by Employees and Third Parties” is the appropriate systemwide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking made by employees and former employees against the CSU, another CSU employee, a CSU student or a third party. Employees covered by a collective bargaining agreement that provides a grievance procedure for raising allegations of Sex Discrimination or Sexual Harassment, including Sexual Violence, Domestic Violence, Dating Violence, and Stalking shall use the grievance procedure specified in their collective bargaining agreement. Executive Order 1096 can be found at: <http://www.calstate.edu/EO/EO-1096.pdf>.

13.1.3 Complaints made by Student-Employees

Executive Order 1096 is the appropriate systemwide procedure for all complaints of Sex Discrimination, including Sexual Harassment or Sexual Violence, made by student-employees where the alleged Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking arose out of the person’s status as an employee and not his/her

status as a student. Executive Order 1096 can be found at: <http://www.calstate.edu/EO/EO-1096.pdf>

13.1.4 Complaints made by Third Parties

Executive Order 1096 is the appropriate systemwide procedure for all complaints of Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking filed by third parties against the CSU, a CSU employee or a CSU student. Executive Order 1096 can be found at: <http://www.calstate.edu/EO/EO-1096.pdf>

Regardless of whether an employee, a student or a third party ultimately files a complaint under the applicable complaint procedure, if a campus knows or has reason to know about possible Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking, it must review the matter to determine if an investigation is warranted. When warranted, all such investigations must be prompt, thorough and impartial. The campus must then take appropriate steps to eliminate the Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and/or Stalking, prevent its recurrence, and remedy its effects.

14. Student Conduct

The following is a summary of the acts prohibited by Executive Order 1098 and Student Conduct Code of The California State University. The full text of the code is contained in Title V, Section 41301 of the California Code of Regulations and also in the appendix of the University Course Catalog. Each student is responsible for knowing and adhering to the code.

14.1 Summary of Conduct Prohibited by the Code

- Cheating or plagiarism
- Forgery, alteration or misuse of campus documents, records, or identification or furnishing false information to the university
- Misrepresentation of oneself as an agent of a campus
- Obstruction or disruption of the campus educational process or university function
- Actual or threatened physical abuse of any member of the campus community or his or her family members
- Theft of, or non-accidental damage to, campus property or property of another person.
- Unauthorized entry into, unauthorized use of, or misuse of campus property

- Sale or knowing possession of dangerous drugs, restricted dangerous drugs, or narcotics as those terms are used in California statutes
- Possession or use of explosives, dangerous chemicals, or deadly weapons on campus property or at a campus function
- Engaging in lewd, indecent, or obscene behavior on campus property or at a campus function
- Abusive behavior directed toward, or hazing of a member of the campus community
- Soliciting or assisting another to do any act which would violate this code of regulations
- Violation of any order of a campus president, notice of which had been given prior to such violation and during the academic term in which the violation occurs, either by publication in the campus newspaper, or by posting on an official bulletin board designated for this purpose.

Any student of a campus may be expelled, suspended, placed on probation, or given a lesser sanction for violations of the code which occur on University premises, or at off-campus functions or programs sponsored by the University.

14.2 Student Disciplinary Proceedings

14.2.1 Complaint Intake/Investigation

Complaint. Whenever it appears that the Student Conduct Code has been violated, an oral or written complaint should be directed to the student conduct administrator as soon as possible after the event takes place.

Investigation. Subject to section 4 below, the student conduct administrator shall promptly: investigate each complaint submitted; determine whether it is appropriate to charge a Student with violation of the Student Conduct Code; and consider whether the University should implement an interim suspension (pursuant to Article VI), withdrawal of consent to remain on Campus, no contact orders concerning one or more members of the University community, or other Interim Remedies for the protection of any Complainant/victim or witnesses.

Timelines. Investigations shall be concluded within 40 Working Days after a complaint has been made. (In cases alleging DHR, investigations shall be concluded within 60 Working Days.)

Cases Involving Allegations of Discrimination, Harassment or Retaliation (DHR)

Complaints by Students alleging Discrimination, Harassment or Retaliation including Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating

Violence, and Stalking against other Students shall be filed and investigated according to the procedures set forth in Executive Order 1097. The DHR Administrator (or the Title IX Coordinator, where the allegations involve Sex Discrimination, Sexual Harassment or Sexual Violence) shall notify the student conduct administrator of the status of any such complaint or appeal to the Chancellor's Office, as well as the investigation results (including findings and any Interim Remedies afforded to the Complainant/victim), so that the student conduct administrator may determine whether to initiate student conduct proceedings.

Complaints by CSU employees or Third Parties, as defined in Executive Order 1096 (e.g., vendors, auxiliary employees or Campus visitors), alleging Discrimination, Harassment or Retaliation (including Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking) against Students shall be filed and investigated according to the procedures set forth in Executive Order 1096. The DHR Administrator (or the Title IX Coordinator, where the allegations involve Sex Discrimination, Sexual Harassment or Sexual Violence) shall notify the student conduct administrator of the status of any such complaint or appeal to the Chancellor's Office, as well as the investigation results (including findings and any Interim Remedies afforded to the Complainant/victim), so that the student conduct administrator may determine whether to initiate student conduct proceedings.

14.2.2 Notice of Conference

Within 10 Working Days after the investigation is complete (or in cases involving Discrimination, Harassment or Retaliation (including Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking), within 10 Working Days after the student conduct administrator receives the Investigator's findings pursuant to Article IV.A.4, above), the student conduct administrator shall notify the Student in writing that a conference has been scheduled or that the Student is directed to promptly schedule a conference with the student conduct administrator.

In cases involving allegations of Discrimination, Harassment or Retaliation (including Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking), the student conduct administrator shall offer the Complainant/victim the opportunity to meet with the student conduct administrator separately, prior to the conference. The conference and any meetings with the Complainant/victim shall occur within 20 Working Days after the student conduct administrator receives the report and findings pursuant to Executive Order 1098.

The student conduct administrator shall promptly notify the Title IX Coordinator of the outcome of the conference with the Student charged. If the case does not proceed to hearing, the Title IX Coordinator shall at that time:

- Notify the Complainant/victim of the outcome of the conference, including any sanction that relates directly to the Complainant. Victims of crimes of violence, including sex offenses, shall also receive notice pursuant to Article IV.F.3.
- Take any appropriate further steps to address the effects of any hostile environment resulting from the Discrimination, Harassment or Retaliation.
- Identify and address any remaining systemic or other patterns of Discrimination, Harassment or Retaliation at the Campus.

14.2.3 Notice of Hearing

The student conduct administrator shall issue a notice of hearing promptly after the conference. In cases involving allegations of Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking, notice shall also be provided to the Complainant and the DHR Administrator or the Title IX Coordinator. The notice of hearing shall be issued within five Working Days after the conference has concluded.

14.2.4 Hearing

The hearing is closed to all persons except the student conduct administrator; the Student charged; the Complainant/victim in cases of Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking; their respective advisors; appropriate witnesses, while they are testifying; a support person to accompany alleged victims of Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking while they are testifying; the hearing officer; and one person to assist the hearing officer in recording the hearing. The Student charged, any Complainant, and any witnesses shall attend the hearing in person unless the student conduct administrator permits an exception (e.g., participation via videoconference or telephone). A police or security officer may also be present if deemed appropriate or necessary by the vice president for Student Affairs or hearing officer. The University will cooperate in providing University witnesses wherever possible, provided that they are identified at least five Working Days before the hearing.

14.2.5 Standard of Proof; Report and Recommendations of the Hearing Officer

After the hearing, the hearing officer shall make findings of fact and conclusions about whether the Student charged violated the Student Conduct Code. The standard of proof the hearing officer shall use is whether the University's charge is sustained by a preponderance of the evidence. It is the University's burden to show that it is "more likely than not" that the Student violated the Student Conduct Code.

The hearing officer shall submit a written report of findings and conclusions to the president, along with any recommended sanctions, recommendations regarding restricting the Student's contact with, or physical proximity to, the Complainant or other persons. The report shall be submitted within 10 Working Days after the hearing.

14.2.6 Final Decision/Notification

Executive Order 1098 provides that "the president shall review the hearing officer's report and issue a final decision."

The president may impose the recommended sanctions, adopt a different sanction or sanctions, reject sanctions altogether, or refer the matter back for further findings on specified issues. If the president adopts a different sanction than what is recommended by the hearing officer, the president must set forth the reasons in the final decision letter. The president's final decision letter shall be issued within 10 Working Days after receipt of the hearing officer's report.

The president shall send his or her decision electronically to the Student charged at the University-assigned or other primary e-mail address linked to the Student's University account.

In cases involving crimes of violence, including Sexual Violence, Domestic Violence, Dating Violence, or Stalking, both the Complainant-victim and the Student charged shall be simultaneously informed in writing of:

- The outcome of any disciplinary proceedings that arise from such allegations;
- Any change to the results that occurs prior to the time that such results become final; and
- When such results become final.

This information is given only to the Student charged and Complainant-victim, and includes the name of the Student charged, any violation found to have been committed, and any sanctions imposed on the Student charged. The University may also notify any other alleged victim of the final results regardless of whether or not the charges are sustained.

14.2.7 Disciplinary Sanctions for Students and Employees

Possible sanctions for students. Under CSU Executive Order 1098, the following possible sanctions may be imposed for violations of the student conduct code:

- Restitution
- Loss of Financial Aid
- Educational and Remedial Sanctions
- Denial of Access to Campus or Persons
- Disciplinary Probation
- Suspension
- Expulsion
- Multiple Sanctions
- Administrative Hold and Withholding a Degree
- Interim Suspension: A president may impose an interim suspension pursuant to 5 Cal. Code Regs. § 41302 where there is reasonable cause to believe that separation of a Student is necessary to protect the personal safety of persons within the University community or University Property, and to ensure the maintenance of order. Violation of any condition of interim suspension shall be grounds for expulsion.

Upon request, the University will disclose the results of a disciplinary proceeding for a violent crime or non-forcible sex offense to the victim of such crime or offense, or the next of kin, if the victim is deceased.

Possible sanctions for employees. Employees may face sanctions up to and including dismissal from employment, per established CSU policies and provisions of applicable collective bargaining agreements.

Individuals alleged to have committed Sexual Violence may also face criminal prosecution by law enforcement and may incur penalties as a result of civil litigation. In addition, employees and students may face discipline/sanctions at the University.

15. Workplace Safety

California State University, East Bay recognizes that workplace violence is a critical issue requiring strict attention and has therefore adopted a policy of no tolerance towards violent incidents and implemented the Workplace Safety and Security Plan, as the campus general plan to increase workplace safety and security.

Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and or coercion, which involve or affect the University or which occur on property owned or operated by the Board of Trustees, will not be tolerated. Acts or threats of violence include conduct which is sufficiently severe, offensive, or intimidating to alter the employment conditions at the University or to create a hostile, abusive, or intimidating work environment for one or several employees. The University's prohibition against threats and acts of violence applies to all persons involved in the University's operation, including but not limited to CSUEB students, staff, faculty, contract and temporary workers, and anyone else on University property.

16. Weapons on Campus

The unapproved possession, use, or sale of firearms, ammunition, fireworks, major or minor explosives, or any lethal weapon is forbidden and subject to criminal sanctions as well as University discipline.

17. Alcohol and Drug Policy

CSU East Bay complies with the Drug Free Workplace Act of 1990 and the Higher Education Act Section 120(a) through (d). University police officers enforce laws regulating the use of alcoholic beverages and underage drinking. CSU East Bay is committed to maintaining a safe and healthy environment for the campus community. Alcohol and other drugs will not be allowed to interfere with the University's educational mission. All CSU East Bay students, staff, faculty and administrators are subject to local, state and federal laws regarding the unlawful possession, distribution, or use of alcohol or illegal drugs.

The unlawful manufacture, distribution, dispensing, possession or use of illegal drugs on the University campus or at any University sponsored event off-campus is prohibited. No one may use illegal substances, or abuse legal substances (including alcohol) in a manner which impairs performance of assigned tasks. A complete description of these regulations is contained in the University's "Alcohol and other Drugs Policy". The policy is available on the CSU East Bay Home Page and at the Human Resources Office, the Police Department, and the Office of the Vice President for Administration and Finance.

Excessive use of alcohol and/or other drugs is a serious health problem in itself, but alcohol and drug abuse can also contribute to a host of other physical and mental health problems such as unwanted pregnancy, violent behavior, psychological depression, HIV infection and other sexually transmitted diseases.

The use of alcoholic beverages must be in compliance with California State Law and is strictly limited to those persons 21 years of age or older. The possession, transportation, and/or consumption of alcohol by individuals less than 21 years of age are strictly prohibited. Alcoholic beverages may not be consumed in public areas and must be concealed and not in plain view when transported in the residence community. Residents in the residence community under the age of 21 are not permitted to host guests or residents of any age who are in possession of alcohol in their rooms.

The University Police Department enforces federal and state laws, as well as the University's policy for the use and sale of illegal drugs. Violators are subject to University discipline, criminal prosecution and removal from University housing. Students engaging in the sale of illegal drugs will be expelled. Students found in violation of the University's alcohol, drug and weapons policies may be subject to academic probation, suspension or expulsion. Parents or guardians may be notified about any disciplinary violation involving alcohol or a controlled substance which has been committed by a student who is under the age of 21.

Employees in violation of the University's "Alcohol and Drug Policy" may be subject to corrective action, dismissal or be required to participate fully in an approved counseling or rehabilitation program. Applicable legal sanctions under local, state and federal laws for the unlawful possession or distribution of illicit drugs and/or alcohol range from probation, diversion, imprisonment in the county jail for less than one year, to imprisonment in state prison. A police officer can take the driver's license from anyone suspected of driving under the influence of alcohol and/or drugs who refuse to take a blood alcohol test.

17.1 Alcohol and Drug Awareness Training

The University Police Department (UPD), in collaboration with the Student Health Center, offers a presentation exploring the effects of alcohol and drugs on the human mind and body, the symptoms of alcohol and drug dependency, and the laws relating to alcohol and drug use.

18. Crime Prevention Education

As a part of the University's educational mission, the UPD is dedicated to teaching members of the University community how to reduce their risk of becoming a victim of crime. The University's Crime Prevention Program is based upon the dual concepts of, whenever possible, eliminating or minimizing criminal opportunities by offering crime prevention education/information and encouraging the community to share in the responsibility for their own safety and the safety of others.

18.1 Workplace Safety and Security Training

California State University, East Bay provides training, instruction and information for all University employees regarding workplace safety and security. Training includes information on the CSU East Bay Workplace Safety and Security Policy and Plan including:

- Procedures for reporting any violent acts or threats of violence
- Recognition of workplace security hazards, including the risk factors associated with the three types of workplace violence
- Measures to prevent workplace violence, including procedures for reporting workplace security hazards or threats to managers and supervisors
- Ways to defuse hostile or threatening situation
- Measures to summon others for assistance
- Employee routes of escape
- Notification to public safety when a criminal act may have occurred
- Emergency medical notification due to illness/injury resulting from any violent act upon a University employee or other circumstance
- Post-event trauma counseling for students and/or employees desiring such assistance
- Information regarding workplace security hazards unique to job assignments (to the extent that such information is not already covered in other training)

18.2 Community Oriented Policing and Problem Solving (COPPS)

Community Oriented Policing and Problem Solving (COPPS), is a philosophy of policing adopted by the University Police Department which unites law enforcement with the community by creating partnerships.

18.3 Personal Safety Workshops

The Department offers a program which includes useful techniques that will reduce your risk of becoming a victim of crime in your office, at home or out in the community. This program can be tailored to meet the specific needs of individuals, groups, or organizations. Please contact UPD at (510) 885-3791 to schedule a Personal Safety Workshop.

18.4 Rape Aggression Defense (R.A.D.)

The Department offers a program of self-defense for women called “Rape Aggression Defense” (RAD). RAD was specifically designed for women, using techniques which are easy to learn and

remember. This course combines awareness, avoidance, and risk reduction skills with hands-on basic physical defense techniques to make it one of the most comprehensive courses of its kind. If you are interested in participating in a RAD class, please contact Corporal Michael Elder at (510) 885-3791. He can also be reached via email: michael.elder@csueastbay.edu.

19. Crime Statistics

CSU East Bay - HAYWARD HILLS CAMPUS 25800 Carlos Bee Blvd., Hayward, CA 94542

Hayward Hills Campus CLERY Crime Statistics 2012-2014												
Crime	On Campus (Includes On-Campus Housing)			On-Campus Housing			Public Property			Non-Campus Property		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
<i>Sex Offenses/Forcible:</i>												
Rape	0	3	1	0	2	1	0	0	0	0	0	0
Sodomy	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault with an Object	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	1	0	0	1	0	0	0	0	0	0
<i>Sex Offenses / Non-Forcible:</i>												
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	4	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	1	0	0	1	0	0	0	0	0	0
Burglary	16	6	3	4	3	1	0	1	0	0	0	0
Vehicle Theft	1	4	5	0	1	4	0	0	0	0	0	0
Domestic Violence	-	-	2	-	-	1	-	-	0	-	-	0
Dating Violence	-	1	0	-	1	0	-	-	0	-	-	0
Stalking	-	-	2	-	-	1	-	-	0	-	-	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Total:	21	14	15	4	7	10	0	1	0	0	0	0

Hayward Hills Campus CLERY Crime Statistics 2012-2014												
Special Category – <i>Referrals for Disciplinary Action</i>	On Campus (Includes On- Campus Housing)			On-Campus Housing			Public Property			Non-Campus Property		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Liquor Laws	1	125	113	0	125	113	0	0	0	0	0	0
Drug Violations	12	75	53	7	75	53	0	0	0	0	0	0
Weapons Possession	0	0	2	0	0	2	0	0	0	0	0	0
Total:	13	200	168	7	200	168	0	0	0	0	0	0

Hayward Hills Campus CLERY Crime Statistics 2012-2014												
Special Category <i>- Arrests</i>	On Campus (Includes On- Campus Housing)			On-Campus Housing			Public Property			Non-Campus Property		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Liquor Laws	1	0	1	0	0	0	0	0	0	0	0	0
Drug Violations	3	0	1	0	0	0	4	0	0	0	0	0
Weapons Possession	0	0	1	0	0	1	2	0	0	0	0	0
Total:	4	0	3	0	0	1	6	0	0	0	0	0

Note: There were no crimes that were investigated and ultimately determined to be “unfounded,” and subsequently removed from our crime statistics.

19.1 Crime Statistics - California State University, East Bay
CONCORD CAMPUS
4700 Ygnacio Valley Road, Concord, CA 94521

Concord Campus CLERY Crime Statistics 2012-2014												
Crime	On Campus			On-Campus Housing			Public Property			Non-Campus Property		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Murder	0	0	0	-	-	-	0	0	0	0	0	0
Manslaughter	0	0	0	-	-	-	0	0	0	0	0	0
<i>Sex Offenses/Forcible:</i>												
Rape	0	0	0	-	-	-	0	0	0	0	0	0
Sodomy	0	0	0	-	-	-	0	0	0	0	0	0
Sexual Assault w/object	0	0	0	-	-	-	0	0	0	0	0	0
Fondling	0	0	0	-	-	-	0	0	0	0	0	0
<i>Sex Offenses/ Non-Forcible:</i>												
Incest	0	0	0	-	-	-	0	0	0	0	0	0
Statutory Rape	0	0	0	-	-	-	0	0	0	0	0	0
Robbery	0	0	0	-	-	-	0	0	0	0	0	0
Aggravated Assault	0	0	0	-	-	-	0	0	0	0	0	0
Burglary	0	0	1	-	-	-	0	0	0	0	0	0
Vehicle Theft	0	0	0	-	-	-	0	0	0	0	0	0
Domestic Violence	-	-	0	-	-	-	-	-	0	-	-	0
Dating Violence	-	-	0	-	-	-	-	-	0	-	-	0
Stalking	-	-	0	-	-	-	-	-	0	-	-	0
Arson	0	0	0	-	-	-	0	0	0	0	0	0
Total:	0	0	1	-	-	-	0	0	0	0	0	0

Concord Campus CLERY Crime Statistics 2012-2014												
Special Category Referrals*	On Campus			On-Campus Housing			Public Property			Non-Campus Property		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Liquor Laws	0	0	0	-	-	-	0	0	0	0	0	0
Drug Violations	0	0	0	-	-	-	0	0	0	0	0	0
Weapons Possession	0	0	0	-	-	-	0	0	0	0	0	0
Total:	0	0	0	-	-	-	0	0	0	0	0	0

Concord Campus CLERY Crime Statistics 2012-2014												
Special Category Arrest	On Campus			On-Campus Housing			Public Property			Non-Campus Property		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Liquor Laws	0	0	0	-	-	-	0	0	0	0	0	0
Drug Violations	0	0	0	-	-	-	0	0	0	0	0	0
Weapons Possession	0	0	0	-	-	-	0	0	0	0	0	0
Total:	0	0	0	-	-	-	0	0	0	0	0	0

*Note: There is no on-campus housing located at the Concord Campus.

Note: There were no crimes that were investigated and ultimately determined to be “unfounded,” and subsequently removed from our crime statistics.

19.2 California State University, East Bay - CSU Masters/Bachelor's Degree Programs
OAKLAND CENTER
1000 Broadway, Suite 109t
Oakland, CA 94607

Oakland Center CLERY Crime Statistics 2012-2014												
Crime	On Campus			On-Campus Housing			Public Property			Non-Campus Property		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Murder	0	0	0	-	-	-	0	0	0	0	0	0
Manslaughter	0	0	0	-	-	-	0	0	0	0	0	0
<i>Sex Offenses/Forcible:</i>												
Rape	0	0	0	-	-	-	0	0	0	0	0	0
Sodomy	0	0	0	-	-	-	0	0	0	0	0	0
Sexual Assault w/object	0	0	0	-	-	-	0	0	0	0	0	0
Fondling	0	0	0	-	-	-	0	0	0	0	0	0
<i>Sex Offenses/ Non-Forcible:</i>												
Incest	0	0	0	-	-	-	0	0	0	0	0	0
Statutory Rape	0	0	0	-	-	-	0	0	0	0	0	0
Robbery	0	0	0	-	-	-	0	0	0	0	0	0
Aggravated Assault	0	0	0	-	-	-	0	0	0	0	1	0
Burglary	0	0	0	-	-	-	0	0	0	0	0	0
Vehicle Theft	0	0	0	-	-	-	0	2	0	0	0	0
Domestic Violence	-	-	0	-	-	-	-	-	0	-	-	0
Dating Violence	-	-	0	-	-	-	-	-	0	-	-	0
Stalking	-	-	0	-	-	-	-	-	0	-	-	0
Arson	0	0	0	-	-	-	0	0	0	0	0	0
Total:	0	0	0	-	-	-	0	2	0	0	1	0

Oakland Center CLERY Crime Statistics 2012-2014												
Special Category Referrals	On Campus			On-Campus Housing			Public Property			Non-Campus Property		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Liquor Laws	0	0	0	-	-	-	0	0	0	0	0	0
Drug Violations	0	0	0	-	-	-	0	0	0	0	0	0
Weapons Possession	0	0	0	-	-	-	0	0	0	0	0	0
Total:	0	0	0	-	-	-	0	0	0	0	0	0

Oakland Center CLERY Crime Statistics 2012-2014												
Special Category Arrest	On Campus			On-Campus Housing			Public Property			Non-Campus Property		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Liquor Laws	0	0	0	-	-	-	0	0	0	0	0	0
Drug Violations	0	0	0	-	-	-	0	0	0	0	0	0
Weapons Possession	0	0	0	-	-	-	0	0	0	0	0	0
Total:	0	0	0	-	-	-	0	0	0	0	0	0

*Note: Public property offenses are those offenses reported to the Oakland Police Department.

**Note: There is no student housing located at the Oakland Center

Statistics include surrounding areas: 12th Street, Broadway, 9th Street, and Harrison Street.

Note: There were no crimes that were investigated and ultimately determined to be “unfounded,” and subsequently removed from our crime statistics.

20. CSU East Bay Annual Fire Safety Report

The University publishes an annual Fire Safety Report, which can also be found at: <http://www20.csueastbay.edu/af/departments/upd/fire-report.html>. The Fire Safety Report statistics are specific to on-campus student housing facilities – Pioneer Heights and University Village.

20.1 Fire Safety and Training Programs

All Resident Advisors and professional staff are trained on proper fire evacuation and emergency procedures by the CSUEB Emergency Preparedness Coordinator and the Department of Environmental Health & Safety at the beginning of each academic year. The CSUEB's emergency preparedness coordinator and Environmental Health & Safety, in collaboration with an independent contractor, Assured Fire, conduct fire suppression training with the Resident Advisors utilizing fire extinguishers and a controlled fire burn. At the beginning of each quarter, Resident Advisors have mandatory floor meetings where proper fire evacuation procedures are discussed with the residents. On the back of the door in each dorm room, apartment or suite an Emergency Information sheet is posted which delineates what to do in the event of a fire and what to do when an earthquake occurs. The emergency information sheet also includes a map of the building with evacuation points and emergency exits delineated as well as a map of the entire housing complex with evacuation points and emergency exits.

20.2 Fire Response Procedures

- A. If you discover fire or see smoke, gather the following information and dial 911 from a campus phone, cell phone, or directly from a Blue Light emergency phone. Identify yourself and report the following:
 - a. Building name and address
 - b. Room/location of fire
 - c. Type of fire
 - d. Smoke or flame
 - e. Smoke odor

- B. For minor fires such as smoke in a waste basket, locate the fire extinguisher and:
 - **P** - *PULL* safety pin from handle
 - **A** - *AIM* nozzle at base of fire
 - **S** - *SQUEEZE* the trigger handle
 - **S** - *SWEEP* from side to side (watch for re-flash)

Remember – Do not try to extinguish the fire yourself unless it is small, contained and safe to do so.

- C. For large fires, evacuate the building and pull a fire alarm. If you are the last person out of a room, close the door behind you - DO NOT LOCK THE DOOR.
- D. If you become trapped inside a building during a fire:
 - a. Call University Police (911 from campus phone or cell phone).
 - b. Tell them your location and that you need Fire Department assistance to get out.
 - c. Stay near a window and close to the floor.
 - d. If possible, signal for help.

20.3 Emergency Evacuation Procedures

The manner in which CSU East Bay conducts emergency operations on campus is governed by State and Federal legislation. The ability to declare a campus State of Emergency is governed by CSUEB policy. The President has the authority to declare a State of University Emergency. Usually, such a declaration will be made upon the recommendation of the emergency operations center with the advice of the Chief of Police and other administrators. The CSUEB Emergency Operations Plan fulfills the University's responsibilities to adhere to the:

- Standardized Emergency Management System (SEMS).
- Incident Command System (ICS).
- National Incident Management System (NIMS).

The overall objective of emergency management is to ensure the effective management of response resources in preparing for and responding to situations associated with catastrophic emergencies. To carry out its responsibilities, the emergency operation center will accomplish the following objectives during an emergency/disaster:

- Support and coordinate emergency response and recovery operations
- Coordinate and work with appropriate federal, state, and local government agencies, as well as applicable segments of the private sector, monitor resource needs and coordinate requests for resources from outside agencies and jurisdictions
- Establish priorities and resolve any conflict demands for support
- Prepare and disseminate emergency public information to alert, warn, and inform the campus

- Collect and disseminate damage information and other essential data about the situation. Fulfill our obligation for intelligence gathering and information flow as described in SEMS, NIMS, and other procedures.
- Provide logistical support for the emergency response

In a campus-wide emergency, the decision to implement evacuation procedures rests with the emergency operations center, if the emergency operation center is activated. In situations requiring immediate action, public safety responders (Police/Fire) can also order a local area evacuation. When evaluating possible evacuation, consideration will be given to the specific threat (bomb, fire, storm, earthquake, explosion, hazardous materials incident, etc.), its context (time of day, likelihood, etc.), and the recommendation of the public safety officials. In a major earthquake, individuals should “duck, cover, and hold” until the shaking stops, and then evacuate the building if necessary. The procedures for a campus-wide evacuation will vary, depending on the nature of the event. In all cases when the decision has been made to evacuate, the campus will likely be evacuated in stages, beginning with the areas that are in the immediate vicinity of the threat. Other areas may then be evacuated, depending on the nature of the threat. This graduated evacuation is preferable to a total, immediate evacuation, as it triages the populations most in danger, minimizes likelihood of gridlock and congestion, and provides for ingress of emergency vehicles and personnel. In all cases, evacuees would be directed away from the vicinity of the threat.

The emergency operations center will initially focus on the dissemination of information and instructions to the people at risk on the campus. For some hazards the campus may have only a few minutes to alert those at risk. Pre-scripted information may go out with the initial warning. These messages will be followed up with what is happening, what the response organization (police, fire, etc.) is doing, and what else the campus should do for its safety. The emergency operation center will feed preparedness information into an established media-public link, and give updates to the media and the campus after impact. If, in the professional judgment of responsible authorities, a notification would compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency, a notification will not be issued.

Following is a list of various methods of notification to the larger campus community:

- a. All-Mail Email Listserv
- b. Bulk email of notification messages to campus population that reaches faculty, staff and students.
- c. “Alert Me” (Emergency Notification Messages)

- d. Voice/Email/Text Messaging Text messaging of faculty, staff and students through a private vendor utilizing voice/email/text messaging to faculty/student and staff through an opt out system.
- e. Closed Circuit Televisions - Television screens in several University buildings can be used to inform of immediate or future conditions affecting the campus community.
- f. Social Media
- g. Long Range Acoustical Device (LRAD)
- h. Variable Message Boards

The approval level of emergency notifications will be time-dependent and determined by the incident. Authorization to send campus-wide notifications will be provided from the highest level listed below as circumstances permit. Notifications involving immediate life safety issues may need to be sent on short or no notice without full authorization.

- a. Executive Management Team and/or President
- b. Vice President of Administration and Finance or designee
- c. Chief of Police and/or Environmental Health & Safety Director or designees
- d. On Duty Police Lieutenant / Supervisor
- e. Incident Commander

20.4 Evacuation Drills

Training, drills, and exercises are conducted in a no-fault learning environment wherein systems and processes, not individuals, are evaluated. An After Action Report will be written after a training, exercise and/or drill. The After Action Report results will provide an opportunity to identify weaknesses, enhance strengths and improve capabilities. In addition to educating the occupants of the building about the evacuation procedures during the drills, the process also provides the university an opportunity to test the operation of the fire alarm system components. Drills may be announced or unannounced and after action and corrective action reports which are designed for assessment and evaluation of emergency plans and capabilities are completed after each drill. CSUEB will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year.

Because CSUEB tests emergency plans, skills, resources, and relationships in response to a dynamic homeland security environment, drills and/or exercises may result in multiple findings and recommendations for improvement. The CSUEB emergency coordinator will ensure CSUEB employees are aware of this plan, and are trained to the levels required by the guiding directives in SEMS and relevant national plans. Current training requirements include ICS (ICS 100, ICS

200), SEMS, and NIMS (IS 700) as required by State and Federal guidelines. The emergency coordinator will inform CSUEB Emergency Operation Center Staff of training opportunities associated with emergency management. Those with responsibilities under this plan must ensure their personnel are properly trained to carry out these responsibilities.

The schedule of training, drills, and exercises follows:

- **Campus Evacuation Drill:** Simulate day and night evacuation drills in an effort to ensure the safe evacuation and account for staff, faculty, students and the general public.
- **Frequency:** Campus drills are usually held in Fall and Spring

20.5 Student Housing Fire Safety Policies

The CSUEB Student Housing policies pertaining to portable electrical appliances, smoking, and open flames in a student housing facility are as follows. The following constitutes a list of violations that could result in prosecution and/or fines:

- a. **Combustible Material Storage:** The storage of combustible materials (gasoline, paint thinner, wax etc.) within the residential facility, including resident rooms /suites /apartments, is not permitted.
- b. **Fire Alarm/Drill:** All residents and guests must evacuate a residential facility immediately when the fire alarm sounds. Those who do not evacuate are in violation of University policy and State fire code and may result in a citation from UPD or the Hayward Fire Department and/or being referred to the Student Housing judicial system.
- c. **Fire Safety Equipment:** Residents are responsible for familiarizing themselves with the evacuation instructions located on the inside of their room/suite/apartment door. If the instructions are missing or illegible, the Residential Life Coordinator should be contacted immediately to have a new one installed. Residents are required to initial that they have been shown the evacuation instructions on the Room/Apartment Inventory Form at check-in. The following misuses of fire safety equipment are considered violations of policy and will result in judicial and/or legal action (\$1,000.00 fine and up to 6 months in prison): pulling fire alarms or fire alarm covers when no fire exists, blocking or propping fire doors, blocking fire stairs, tampering with smoke detectors, tampering with alarm horns, strobes, enunciator or bells, misuse or tampering with sprinkler system heads (including, but not limited to, hanging items from sprinkler heads), tampering with fire exit signs, and tampering or improper use of fire extinguishers or fire hoses. Note that each residence hall room contains a smoke detector and each apartment/suite contains a

smoke detector and fire extinguisher for residents' safety. Contact the Residential Life Coordinator for additional information about fire safety or if any of your unit's fire safety equipment appears to be malfunctioning.

- d. **Open Flame:** No open flames are permitted in the residence halls or within housing property outside of designated areas without official SHRL approval. This includes, but is not limited to candles, incense, smoking, and the burning of any materials or other flame-emitted articles. Prior written approval must be obtained from the Residential Life Coordinator if this policy is incongruent with religious, cultural, or spiritual beliefs.
- e. **Portable Heaters:** The utilization of portable heaters in the residence halls is not permitted.
- f. **Halogen Lamps:** Halogen lamps/lighting, are not permitted.
- g. **Doors:** All unit doors are to be kept closed at all times due to the integrity of the rated corridors. At no time are the doors to be propped open or left ajar.

20.6 Smoking

Due to California State University policy, smoking is prohibited in all of our buildings, student rooms, residential hallways, restrooms, lounges, stairs, balconies, volleyball and basketball courts and pool areas. Residents may only smoke 20 feet away from any building. This includes the use of smoking devices such as hookah pipes.

20.7 CSUEB Student Housing Fire Safety Systems
01/01/2012 – 12/31/2014

Student Housing Fire Safety System						
Student Housing Facilities:	Fire Alarm Monitoring Done On Site	Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plan/Placards	Number of Evac (Fire) Drills Each Academic Year
PIONEER HEIGHTS						
Building 1 - Calaveras	No	Yes	Yes	Yes	Yes	3
Building 2 - Coloma	No	Yes	Yes	Yes	Yes	3
Building 3 - Sierra	No	Yes	Yes	Yes	Yes	3
Building 4 - Sonora	No	Yes	Yes	Yes	Yes	3
Building 5 - Mariposa	No	Yes	Yes	Yes	Yes	3
Building 6 – International House/Tamalpais	No	Yes	Yes	Yes	Yes	3
Building 7 - Shasta	No	Yes	Yes	Yes	Yes	3
Building 8 - Diablo	No	Yes	Yes	Yes	Yes	3
Building 9 - Sequoyah	No	Yes	Yes	Yes	Yes	3
Building 10 - Juniper	No	Yes	Yes	Yes	Yes	3
Dining Commons	No	Yes	Yes	Yes	Yes	3
UNIVERSITY VILLAGE	No	Yes	Yes	Yes	Yes	3

20.8 CSUEB Fire Statistics and Information

01/01/2012 – 12/31/2014

Fire Statistics and Information						
Student Housing Facilities: PIONEER HEIGHTS	Date Occurred	Time	Police Report Number(s)	Cause	Value of Property Loss	Injuries
Building 1 - Calaveras	None	n/a	n/a	n/a	n/a	n/a
Building 2 - Coloma	None	n/a	n/a	n/a	n/a	n/a
Building 3 - Sierra	None	n/a	n/a	n/a	n/a	n/a
Building 4 - Sonora	None	n/a	n/a	n/a	n/a	n/a
Building 5 - Mariposa	None	n/a	n/a	n/a	n/a	n/a
Building 6 – International House/Tamalpais	None	n/a	n/a	n/a	n/a	n/a
Building 7 - Shasta	None	n/a	n/a	n/a	n/a	n/a
Building 8 - Diablo	None	n/a	n/a	n/a	n/a	n/a
Building 9 - Sequoia	None	n/a	n/a	n/a	n/a	n/a
Building 10- Juniper	None	n/a	n/a	n/a	n/a	n/a
Dining Commons	None	n/a	n/a	n/a	n/a	n/a
UNIVERSITY VILLAGE	None	n/a	n/a	n/a	n/a	n/a